

REMARKS

In the Office Action, the Examiner objected to claims 4-11, 16-22, 25, and 26 under 37 C.F.R. § 1.75(c) as being improper multiple dependent claims; objected to claims 1-28 because of informalities; rejected claim 26 under 35 U.S.C. § 101; rejected claims 27 and 28 under 35 U.S.C. § 112, first paragraph; rejected claims 1-3, 12, 14, 15, 23, 27, and 28 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,999,617 to Oyanagi et al. ("Oyanagi"); and rejected claims 13 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Oyanagi in view of U.S. Patent No. 5,819,029 to Edwards et al. ("Edwards").

By this Reply, Applicant has amended claims 1-24, cancelled claims 25-28, and added new claims 29-31. Claims 1-24 and 29-31 are currently pending. Based on the following remarks, Applicant respectfully traverses the Examiner's rejections.

A. Objection to Claims 4-11, 16-22, 25, and 26 under 37 C.F.R. § 1.75(c)

The Examiner objected to claims 4-11, 16-22, 25, and 26 under 37 C.F.R. § 1.75(c) as being improper multiple dependent claims. Office Action at 2. Applicant has amended claims 4-11, 16-22, 25, and 26 to comply with 37 C.F.R. § 1.75(c). Accordingly, Applicant respectfully requests reconsideration and withdrawal of the Examiner's claim objection under 37 C.F.R. § 1.75(c).

B. Objection to Claims 1-28 Based on Informalities

The Examiner objected to claims 1-28 because of informalities. Office Action at 2. The Examiner specifically requested that "dialling system" be corrected to "dialing system." Id. Applicant has amended claims 1-28 to comply with the Examiner's

request. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the Examiner's objection to claims 1-28 based on informalities.

C. Rejection of Claim 26 under 35 U.S.C. § 101

The Examiner rejected claim 26 because the claimed invention is purportedly directed to non-statutory subject matter. Office Action at 2-3. Applicant has cancelled this claim in an effort to advance prosecution. Applicant has added new claim 29 that recite "[a] computer program product, tangibly embodied in a computer-readable medium" Thus, new claim 29 is directed to statutory subject matter. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 101 rejection, and allowance of claim 29.

D. Rejection of Claims 27 and 28 under 35 U.S.C. § 112, First Paragraph

The Examiner rejected claims 27 and 28 under 35 U.S.C. § 112, first paragraph, because the claims purportedly do not clearly set forth the metes and bounds of the subject matter. Office Action at 3. Applicant has cancelled claims 27 and 28. Accordingly, Applicant respectfully requests withdrawal of the § 112, first paragraph, rejection of claims 27 and 28.

E. Rejection of Claims 1-3, 12, 14, 15, 23, 27 and 28 under 35 U.S.C. § 102(b) Based on Oyanagi

Applicant respectfully traverses the rejection of amended independent claim 1 under 35 U.S.C. § 102(e) as being anticipated by Oyanagi for at least the reason that Oyanagi fails to disclose every claim element recited in amended independent claim 1. Amended independent claim 1 recites, among other features, "a status signal production system for producing a series of status signals indicative of the progression

of the agent through the script;" and "a reception system for progressively receiving the series of status signals produced by each agent station." Oyanagi fails to disclose at least the recited features of amended independent claim 1.

The Examiner asserted that Oyanagi, at col. 4, lines 4-7, discloses both the "status signal production system for producing a series of status signals . . ." and the "reception system for receiving the series of status signals . . .," as recited in amended independent claim 1. Office Action at 4. However, the system of Oyanagi relies on a single signal, which is triggered by the execution of a specific portion in a terminal program. Oyanagi, col. 4, lines 4-7. Oyanagi discloses that the specific portion in the terminal program is preferably a portion executed prior to the completion of a call. Oyanagi, col. 4, lines 8-9. Thus, by detecting the execution of a specific portion of the program, the system of Oyanagi knows that the call is near the end, and the call completion time is predicted based on the detection. Oyanagi, col. 4, lines 10-14.

The present invention, in which a **series of status signals** are progressively sent as an agent progresses through a script, is thus patentably distinguishable from the system of Oyanagi, which relies on a **single signal** based on detection of the execution of a specific portion of the terminal program. Producing and receiving a series of status signals enables a more accurate prediction of the number of new calls that should be dialed and a more efficient allocation of the new calls to agents.

For at least reasons set forth above, Oyanagi fails to support the § 102 rejection of independent claim 1. Amended independent claims 12, 14, and 23 recite features that are similar to the features recited in amended independent claim 1. For reasons at least similar to the reasons set forth with respect to amended independent claim 1,

Oyanagi fails to support the § 102 rejection of independent claims 12, 14, and 23.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 102(b) rejection of independent claims 1, 12, 14, and 23 based on Oyanagi.

Applicant has cancelled independent claims 27 and 28. Accordingly, Applicant respectfully requests withdrawal of the § 102 rejection of claims 27 and 28.

Amended claims 2-3 and 15 depend from independent claims 1 and 14, respectively. Thus, amended dependent claims 2, 3, and 15 are allowable at least by virtue of their dependence on an allowable independent claim. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 102(b) rejection of independent claims 2, 3, and 15 based on Oyanagi.

F. Rejection of Claims 13 and 24 under 35 U.S.C. § 103(a) Based on Oyanagi and Edwards

As set forth above with respect to independent claim 1, Oyanagi fails to disclose “a status signal production system for producing a series of status signals indicative of the progression of the agent through the script;” and “a reception system for progressively receiving the series of status signals produced by each agent station.”

Edwards discloses a “third party verification system and method for verifying a customer’s authorization to switch long distance providers.” Edwards, Abstract.

Edwards also allegedly teaches “means for receiving signals from the predictive dialing system effective to initiate the display of a new script synchronized with the receipt of a new telephone call.” Office Action at 6. Edwards, however, fails to teach or suggest “a status signal production system for producing a series of status signals indicative of the progression of the agent through the script” and “a reception system for progressively

receiving the series of status signals produced by each agent station,” and thus, fails to cure the deficiencies of Oyanagi.

For at least reasons set forth above, Oyanagi and Edwards, taken alone or in combination, fail to support the § 103 rejection of claims 13 and 24. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of dependent claims 13 and 24.

G. Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

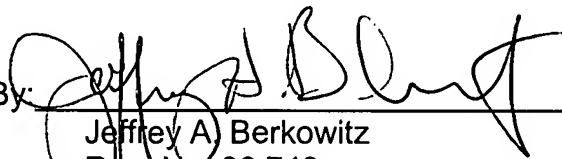
Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By:


Jeffrey A. Berkowitz
Reg. No. 36,743